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April 8, 2018

BY ECF

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Jason Galanis, et al.*, S1 16 Cr. 371 (RA)

Dear Judge Abrams:

We write on behalf of Bevan Cooney, Gary Hirst, Michelle Morton, and John Galanis in response to the government's letter filed today, in which it seeks permission to return the Archer production to Mr. Archer.

As none of us have any idea what is contained in the Archer production, we take no position on whether or not it satisfies the requirements of Rule 16. Nevertheless, the Court has scheduled a conference for Friday, April 13, 2018, to resolve that question. The government's request for relief is therefore premature, and the production should remain in its possession until that time. Unless and until the Court rules that Mr. Archer's production does *not* comply with Rule 16, the government is obligated under *Brady* and *Giglio* to review the materials for evidence favorable to the defendants.

We note, moreover, that the only basis the government has articulated for refusing to maintain possession and review the materials is the size of the production. We know of no authority that supports that position and the government does not cite any in its letter. Accordingly, the Court should preserve the status quo until the hearing previously scheduled.

Respectfully,

/s/ Paula Notari
Paula Notari
Counsel for Bevan Cooney

cc: AUSAs Rebecca Mermelstein, Negar Tekeei, Brendan Quigley (by ECF)